

Applicant: Paul Marinier  
Application No.: 10/729,644

### REMARKS/ARGUMENTS

Pursuant to the foregoing amendment, claims 14-19 are currently pending in this application. Claims 1-13 have been withdrawn from consideration for filing in a divisional application. Claims 14-16 have been amended, and claims 17-19 have been added, to more distinctly claim subject matter which the applicant regards as the invention. It is submitted that no new matter is introduced by way of these amendments.

#### Claim Rejection – 35 U.S.C. § 102

The Examiner rejected claims 14 and 16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,519,464 to Santhoff et al. (hereafter Santhoff). The Applicant respectfully disagrees.

Santhoff discloses a system and method for determining a location of a wireless device by sending a request to wireless devices having known locations whereupon the wireless devices having known locations transmit positioning information back to the wireless device having an unknown location. The wireless device with an unknown location determines its location using the positioning information transmitted by the wireless devices having known locations. Santhoff discloses as follow:

...at least one initial request is transmitted from a first mobile wireless device having an undetermined/unknown geographic location to fixed position wireless devices having known geographic locations (e.g., such as base stations and/or transmission towers) for positioning information for determining a geographic location of the first mobile wireless device. (Santhoff, column 3, lines 43-49, cited by the Examiner.)

Santhoff therefore discloses transmitting a request from a first mobile wireless device having an unknown geographic location to a fixed position wireless device having a known geographic location, such as a base station.

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In contrast, in amended claim 14 of the present application, a WTRU is claimed having a receiver configured to receive requests for positioning information regarding a selected target-WTRU from a wireless network base station and to receive signals from the selected target-WTRU. The claimed WTRU performs measurements to determine the location of the selected target-WTRU based on the received requests from the base station as well as the received signals from the selected target-WTRU. The claimed invention differs from the teaching of Santhoff in that the claimed invention is a WTRU that receives position requests sent from the wireless base station, not the selected target-WTRU, as is taught by Santhoff (i.e., the mobile wireless device having unknown/undetermined location).

Santhoff further teaches a memory for storing the estimated location of a wireless device whose location is unknown or undetermined. Santhoff discloses the following:

...the estimated location may be stored in a memory of the first wireless device. (Column 2, lines 31-34, also cited by the Examiner at page 3.)

In contrast, the claimed invention recites a memory for storing the number of instances positioning information is provided to the wireless network. A user of the claimed wireless transmit/receive unit can verify the credits received for participating in the cooperative positioning system with the number of instances positioning information were provided to the wireless system and stored in the memory. Santhoff fails to teach, or even remotely suggest, a memory for storing the number of instances positioning information is provided.

For the reasons presented above, the Applicant submits that the presently claimed invention is not taught by Santhoff. Withdrawal of the 35 U.S.C. § 102 rejection is therefore respectfully requested.

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**Claim Rejection – 35 U.S.C. § 103**

The Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Santhoff in view of U.S. Patent No. 6,169,497 to Robert (hereafter Robert). The Applicant respectfully disagrees.

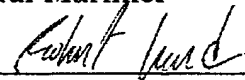
Claim 15 depends directly from claim 14, which, for the reasons presented above, is not anticipated by Santhoff. Accordingly, the Applicant submits that claim 15 is not obvious over Santhoff in view of Robert. Withdrawal of the 35 U.S.C. § 103 rejection is respectfully requested.

**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 14-19, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,  
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